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Attorneys for Defendants
CASH AMERICA INTERNATIONAL, INC.,
and CNU OF CALIFORNIA, LLC (formerly known as
CASH AMERICA NET OF CALIFORNIA, LLC)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PAULA BERNAL and MARY F. BAILEY, on
behalf of themselves and all persons similarly
situated,

Plaintiffs,

v.

CASH AMERICA INTERNATIONAL, INC.,
CASH AMERICA NET OF CALIFORNIA, LLC,
CNU OF CALIFORNIA, LLC, and Does 1
through 100, inclusive,

Defendants.

Case No. CV 12-05792-JSW

**STIPULATED REQUEST TO CONTINUE
INITIAL CASE MANAGEMENT
CONFERENCE AND CORRESPONDING
DEADLINES AND ~~[PROPOSED]~~ ORDER**

1 Plaintiffs PAULA BERNAL and MARY F. BAILEY and Defendants CASH AMERICA
 2 INTERNATIONAL, INC., and CNU OF CALIFORNIA, LLC (formerly known as CASH
 3 AMERICA NET OF CALIFORNIA, LLC) (hereinafter, collectively, the “Parties”), by and through
 4 their undersigned counsel, report that they have met and conferred and submit the following stipulated
 5 request:

6 WHEREAS, upon removal to this Court on November 9, 2012, this action was assigned to
 7 Magistrate Judge Donna M. Ryu;

8 WHEREAS, on November 9, 2012, the Court issued an ORDER SETTING INITIAL CASE
 9 MANAGEMENT CONFERENCE AND ADR DEADLINES (the “November 9 Order”), assigning
 10 the action to the Alternative Dispute Resolution (“ADR”) Multi-Option Program and: (1) scheduling
 11 the Initial Case Management Conference (“CMC”) for February 13, 2013; (2) noting that, according
 12 to Federal Rule of Civil Procedure 26(a)(1) and Local Rule 16-9, the Parties are to file their Joint
 13 Case Management Statement no later than February 6, 2013; (3) noting that, according to Federal
 14 Rule of Civil Procedure 26(f) and ADR Local Rule 3-5, the last day for the Parties to meet and confer
 15 regarding initial disclosures, early settlement, ADR process selection, and a discovery plan is January
 16 23, 2013; and (4) noting that, according to Local Rule 16-8 and ADR Local Rule 3-5, the last day for
 17 the Parties to file their respective ADR Certifications is January 23, 2013; and (5) noting that,
 18 according to Local Rule 16-8 and ADR Local Rule 3-5, the last day for the Parties to file either a
 19 Stipulation to ADR Process or a Notice of Need for ADR Phone Conference is January 23, 2013.

20 WHEREAS, the November 9 Order noted that in the event that the Initial CMC is continued,
 21 the other deadlines are continued accordingly;

22 WHEREAS, on November 20, 2012, this action was reassigned to Judge Jeffrey S. White;

23 WHEREAS, on November 20, 2012, the Court issued an ORDER SETTING CASE
 24 MANAGEMENT CONFERENCE AND REQUIRING CASE MANAGEMENT CONFERENCE
 25 STATEMENT, rescheduling the initial CMC for February 15, 2013 and ordering the parties to file
 26 their joint case management statement no later than five court days before the Initial CMC.

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WHEREAS, according to the November 9 Order, the continuance of the Initial CMC (from February 13, 2013 to February 15, 2013) continued all of the deadlines set in the November 9 Order by two days such that the current deadlines are as follows: (1) February 8, 2013 is the last day for the Parties to file their Joint Case Management Statement; (2) January 25, 2013 is the last day for the Parties to meet and confer regarding initial disclosures, early settlement, selecting an ADR process, and a discovery plan; (3) January 25, 2013 is the last day for the Parties to file their respective ADR Certifications; and (4) January 25, 2013 is the last day for the Parties to file either a Stipulation to ADR Process or a Notice of Need for ADR Phone Conference.

WHEREAS, Defendants have filed a Motion to Compel Arbitration, seeking to compel the arbitration of Plaintiff Bernal's and Plaintiff Bailey's respective claims pursuant to the terms of the arbitration agreement contained in each of Plaintiffs' loan agreements with Defendants;

WHEREAS, Defendants' Motion to Compel Arbitration is now fully briefed and is scheduled to be heard on February 1, 2013;

WHEREAS, the Parties have met and conferred and have agreed that in light of the nature of the pending Motion to Compel Arbitration (which could result in a stay of this action while Plaintiffs' claims are arbitrated), and in the interests of efficiency and judicial economy, there is good cause for a short continuance of the Initial CMC and corresponding deadlines;

NOW, THEREFORE, THE PARTIES HEREBY SUBMIT THIS STIPULATED REQUEST as follows:

In light of the pending Motion to Compel Arbitration, the Parties request that the Initial Case Management Conference be continued for at least 30 days, until March 22, 2013 at 1:30 p.m., or as soon thereafter as the Court has availability. Assuming a March 22, 2013 CMC, the Parties hereby request that the corresponding deadlines be continued as follows:

- The Parties' deadline, in accordance with Federal Rule of Civil Procedure 26(a)(1) and Local Rule 16-9, for filing their Joint Case Management Statement be continued to March 15, 2013;

- The Parties' deadline for meeting and conferring, in accordance with Federal Rule of Civil Procedure 26(f) and ADR Local Rule 3-5, regarding initial disclosures, early settlement, ADR process selection, and a discovery plan, be continued to March 1, 2013;
- The Parties' deadline, in accordance with Local Rule 16-8 and ADR Local Rule 3-5, for filing their respective ADR Certifications be continued to March 1, 2013; and
- The Parties' deadline, in accordance with Local Rule 16-8 and ADR Local Rule 3-5, for filing either a Stipulation to ADR Process or a Notice of Need for ADR Phone Conference be continued to March 1, 2013.

Dated: January 23, 2013

Respectfully submitted,

O'RIELLY & ROCHE LLP

By: /s/ Daniel J. O'Rielly
Daniel J. O'Rielly

Attorneys for Defendants
CASH AMERICA INTERNATIONAL,
INC., and CNU OF CALIFORNIA, LLC
(formerly known as CASH AMERICA NET
OF CALIFORNIA, LLC)

Dated: January 23, 2013

LAKESHORE LAW CENTER

By: /s/ Jeffrey Wilens
Jeffrey Wilens

Attorneys for Plaintiffs
PAULA BERNAL and MARY F. BAILEY


[PROPOSED] ORDER

The Initial Case Management Conference is hereby continued for 35 days and shall be held on March 22, 2013 at 1:30 p.m., in Courtroom 11, 19th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California. The corresponding deadlines are continued as follows:

- In accordance with Federal Rule of Civil Procedure 26(a)(1) and Local Rule 16-9, the Parties shall file their Joint Case Management Statement no later than March 15, 2013;
- The Parties shall meet and confer, in accordance with Federal Rule of Civil Procedure 26(f) and ADR Local Rule 3-5, regarding initial disclosures, early settlement, ADR process selection, and a discovery plan no later than March 1, 2013;
- In accordance with Local Rule 16-8 and ADR Local Rule 3-5, the Parties shall file their respective ADR Certifications no later than March 1, 2013; and
- In accordance with Local Rule 16-8 and ADR Local Rule 3-5, the Parties shall file either a Stipulation to ADR Process or a Notice of Need for ADR Phone Conference no later than March 1, 2013.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 24, 2013


The Honorable Jeffrey S. White
UNITED STATES DISTRICT JUDGE